

## **REMARKS**

Claims 1-3 and 11-16 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

The Examiner alleges that the phrase “a well pattern of one of a first conductive type and a second conductive type” is improper Markush language and therefore is indefinite. Applicant amended claim 1 to recite “a well pattern that is provided in a predetermined region of the support substrate. In other words, Applicant amended claim 1 to remove the limitation “of one of a first conductive type and a second conductive type.” Applicant respectfully submits that claims 1-3 are now definite.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-2, 4-6, 7, 11-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by (U.S. Pat. No. 6,071,803) to Rutten et al. This rejection is respectfully traversed.

With respect to claim 1, Rutten fails to show, teach or suggest an SOI structure including a single-crystal silicon layer for forming a device formed on an insulating layer, a support substrate of a first conductive-type that is provided beneath the insulating

layer, a well pattern that is provided in a predetermined region of the support substrate, and an interlayer dielectric layer including a conductive layer pattern formed on the support substrate and under the insulating layer.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. V. Genentech, Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988). Here, Rutten fails to disclose the limitation of an interlayer dielectric layer including a conductive layer pattern formed on the support substrate and under the insulating layer.

As shown in an exemplary embodiment in FIG. 6, a support substrate 11 includes well patterns 12. An interlayer dielectric layer 41 is formed on the support substrate 11. The interlayer dielectric layer 41 includes a conductive layer pattern 42. An insulating layer 13 is formed on the interlayer dielectric layer 41. In other words, the interlayer dielectric layer 41 is formed on the support substrate 11 and under the insulating layer 13.

Applicant respectfully notes that Rutten does not disclose such a structure. In particular, Rutten does not disclose an interlayer dielectric layer including a conductive layer pattern formed on the support substrate. In contrast, Rutten discloses that an insulating layer 3 is formed on the support substrate 1. Rutten is absent of any teaching or suggestion of an interlayer dielectric layer including a conductive layer pattern. More specifically, Rutten is absent of any teaching or suggestion of an interlayer dielectric

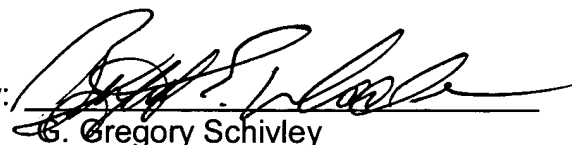
layer including a conductive layer pattern formed on the support substrate 1 and under the insulating layer 3. Applicant respectfully submits that claim 1, as well as its dependent claims, should be allowable for at least the above reasons. Claims 11 and 14, as well as their corresponding dependent claims, should be allowable for at least similar reasons.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: May 30, 2006

By:   
G. Gregory Schivley  
Reg. No. 27,382

Bryant E. Wade  
Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

GGs/BEW/DMA